

**Federal Defenders  
OF NEW YORK, INC.**

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November 1, 2024

**Via ECF**

The Honorable Jennifer H. Rearden  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

Re: **United States v. Darrin Copeland**  
**23 Cr. 475 (JHR) (RFT)**

**Application GRANTED.**

The Clerk of Court is directed to terminate ECF No. 16.

**SO ORDERED.**

Jennifer H. Rearden, U.S.D.J.  
Date: November 4, 2024

Dear Judge Rearden,

I write to respectfully request a Court order authorizing Mr. Copeland's substance abuse and mental health service provider, which is contracted through the Probation Department, to release to the Federal Defenders of New York copies of Mr. Copeland's treatment records.<sup>1</sup> These records are necessary for the parties' ongoing discussions regarding a potential disposition in this VOSR proceeding. Our understanding from past requests is that contracted substance abuse and mental health service providers will not release these records to defense counsel with a signed HIPAA release alone but require Court authorization as well. See, e.g., *United States v. Hall*, 24 Cr. 151 (PGG) (SN) (S.D.N.Y. Mar. 14, 2024). The government has no objection.

We thank the Court for its consideration of this request.

Respectfully submitted,

/s/

Neil P. Kelly  
Assistant Federal Defender  
(212) 417-8744

cc: Probation Officer Washington Herrera  
AUSA James Mandilk

<sup>1</sup> On August 8, 2024, Magistrate Judge Tarnofsky ordered Mr. Copeland to participate in inpatient substance abuse and mental health treatment for approximately 90 days. On August 15, 2024, this Court ordered that the parties provide an update by November 15, 2024. Counsel understands that Mr. Copeland has done well and is nearing a successful discharge.